

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FRANCISCO DE DIOS DE LOS SANTOS  
and LUIS VICTORIANO DE JESUS,

Plaintiffs,

-against-

22-CV-10774 (KHP)

SHREE LAXMI RESTAURANT, INC. d/b/a  
SWAGAT RESTAURANT; ABISHEK SHARMA;  
and LALA R. SHARMA,

Defendants.

**ORDER OF DISMISSAL**

-----X  
**KATHARINE H. PARKER, United States Magistrate Judge:**

In this action under the Fair Labor Standards Act and the New York Labor Law, which is before this Court on the consent of the parties pursuant to 28 U.S.C. § 636(c), the parties, having reached an agreement in principle to resolve the action, have placed their proposed settlement agreement before this Court for approval. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 1999 (2d Cir. 2015) (requiring judicial fairness review of FLSA settlements). Plaintiffs have also submitted a letter detailing why they believe the proposed settlement agreement is fair, reasonable, and adequate. (ECF No. 25.)

This Court has reviewed Plaintiffs' submissions to determine whether the proposed agreement represents a reasonable compromise of the claims asserted in this action, and, in light of the totality of the relevant circumstances, including the representations made in Plaintiffs' letter, the terms of the proposed settlement agreement, and this Court's own familiarity with the strengths and weaknesses of the parties' positions as learned from court conferences and the settlement conference held before the Undersigned, it is ORDERED that:

1. The Court finds that the terms of the proposed settlement agreement are fair, reasonable, and adequate, both to redress Plaintiffs' claims in this action and to compensate Plaintiffs' counsel for their legal fees, and the agreement is therefore approved.

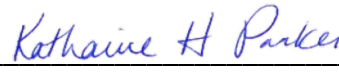
2. In accordance with the parties' request, this Court will retain jurisdiction over this matter for the purpose of enforcing the settlement agreement, if necessary.

3. As a result of the Court's approval of the parties' proposed settlement, this action is hereby discontinued with prejudice and without costs.

4. **The Clerk of Court is respectfully directed to terminate the motion at ECF No. 54 and to close this case on the Docket of the Court.**

SO ORDERED

Dated: New York, New York  
February 1, 2024

  
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KATHARINE H. PARKER  
United States Magistrate Judge